

<b>Notice of Allowability</b>	Application No.	Applicant(s)
	10/521,658	VAN DER AA ET AL.
	Examiner	Art Unit

  

MUHAMMAD N. EDUN	2627	
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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1.  This communication is responsive to the amendment filed on 01/18/05.
2.  The allowed claim(s) is/are 1-11.
3.  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a)  All    b)  Some\*    c)  None    of the:
    1.  Certified copies of the priority documents have been received.
    2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3.  Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4.  A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5.  CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a)  including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1)  hereto or 2)  to Paper No./Mail Date \_\_\_\_\_.
  - (b)  including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6.  DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

#### Attachment(s)

<ol style="list-style-type: none"> <li>1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)</li> <li>2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)</li> <li>3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____</li> <li>4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material</li> </ol>	<ol style="list-style-type: none"> <li>5. <input type="checkbox"/> Notice of Informal Patent Application</li> <li>6. <input type="checkbox"/> Interview Summary (PTO-413), Paper No./Mail Date _____.</li> <li>7. <input type="checkbox"/> Examiner's Amendment/Comment</li> <li>8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance</li> <li>9. <input type="checkbox"/> Other _____.</li> </ol>
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*Prior Art Citation*

**1. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.**

Lee et al. (2002/0024919) and Knight et al. (2003/0035361), both disclose an optical disk apparatus having a rotary arm along with optical elements for scanning the information layer of the optical record carrier.

*Reasons For Allowance*

**2. The following is an Examiner's Statement of Reasons for Allowance:**

Re claims 1-11

The prior art of record alone or in combination does not teach or suggest the optical scanning device having the combination of elements with structure, function and arrangement, along with having:

a detector arrangement (i0) arranged separate from the rotary arm (2; 102; 202; 302; 402; 502) for detecting a radiation beam spot, the radiation beam spot (40; 140; 240; 340; 440; 540) having an angular disposition;

a first reflective surface (4; 104; 204; 304; 404; 504) attached to the rotary arm (2; 102; 202; 302; 402; 502);

a second reflective surface (6; 106; 206; 306; 406; 506) attached to the rotary arm (2; 102; 302; 402; 502);

a first light path (LPI; LPIOI; LP201; LP301; LP401; LP501) running from a location on the record carrier to said first reflective surface;

a second light path (LP2; LP202; LP302; LP402; LP502) running from said first reflective surface to said second reflective surface;

a third light path (LP3; LPI03; LP203; LP303; LP403; LP503) running from said second reflective surface to said detector arrangement (i0), characterized in that said rotary arm includes at least one optical inversion element (52; 54; 56; 58; 64; 66) arranged such that a dependence between variation of the angular position of the rotary arm and variation of the angular disposition of the radiation beam spot is reduced,

,as set forth in claims 1-11.

Any comments considered necessary by applicant must be submitted no later than the payment of the Issue Fee and, to avoid processing delays, should preferably **accompany** the Issue Fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MUHAMMAD N. EDUN whose telephone number is 571-272-7617. The examiner can normally be reached on FLEXITIME.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hoa Nguyen can be reached on 571-272-7579. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



**MUHAMMAD N EDUN**  
**Primary Examiner**  
**Art Unit 2627**